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PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 16th August, 2017

No. SEC/2E-II/2017/2209.— The General Elections of Zila Parishad, Jind were held in January, 2016 and the results of the elected candidates were declared on 28.01.2016.

2. As per provisions contained in the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996, every candidate contesting election to the post of Member of Zila Parishad shall have to maintain day to day election expenditure account in accordance with the procedure laid down in paras 4, 5 and 6 of these orders and shall have to lodge his account of election expenses within 30 days from the date of declaration of result of the election in the prescribed format with the Deputy Commissioner-cum District Election Officer (Panchayat) or any other officer as specified by the Commission. The total of the expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Para 11 of these orders provides that if the State Election Commission is satisfied that a person—

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure the State Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and may such person shall be disqualified for a period of three years from the date of the order.

4. The Commission, *vide* its notification No, SEC/2E-II/2015/5782, dated 03-06-2015 prescribed the limit of expenditure of Rs. 2,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Member Zila Parishad,

5. As reported by the Deputy Commissioner-cum District Election Officer, Jind through his letter No. 6468/Panchayat, dated 16.09.2016 the 102 contesting candidates of Zila Parishad, Jind failed to submit their election expenditure statement within the prescribed time. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the prescribed period. I had given an opportunity of personal hearing to 26 candidates in my office chamber on 09.08.2017 in the interest of justice. None was present on behalf of Deputy Commissioner, Jind.

6. The candidates mentioned below appeared in person and had submitted their submissions explaining the reasons for non submitting their election expenditure statement:-

| क्रम संख्या | सर्व श्री / श्रीमति | गांव का नाम | वार्ड नं० |
|-------------|---------------------|--------------|-----------|
| 1. | किरण | झूमरखां कलां | 07 |
| 2. | इन्दु बाला | घोघड़ीया | 09 |
| 3. | विरेन्द्र सिंह | डाहौला | 11 |
| 4. | सुनील देवी | थूआ | 11 |

During the course of personal hearing the above mentioned four candidates had submitted their election expenditure statement. Expenditure statements submitted by the above candidates have been got examined and found to be within the expenditure limit prescribed by the Commission. I have gone through the submissions made by them and the facts available on the record, Taking a lenient view, I order to accept election expenditure statement of the above mentioned four candidates.

7. The following candidates did neither respond to the show cause notice nor appeared before me.

| क्रम संख्या | सर्व श्री / श्रीमति | गांव का नाम | वार्ड नं० |
|-------------|---------------------|---------------|-----------|
| 1. | अनिता | दानोदा कलां | 06 |
| 2. | ओम प्रकाश | दुर्जनपुर | 06 |
| 3. | धर्मपाल | दुर्जनपुर | 06 |
| 4. | रामकली | जाजनवाला | 06 |
| 5. | इन्द्रावती | खेड़ी मसानिया | 07 |
| 6. | नीलम | घासों कलां | 07 |
| 7. | सविता | घासों कलां | 07 |
| 8. | ईश्वर सिंह | छातर | 08 |
| 9. | कृष्णा | मांडी कलां | 08 |
| 10. | सुरेन्द्र | छातर | 08 |
| 11. | सोनिया | मोहनगढ़ | 09 |
| 12. | नसीब सिंह | काकड़ोद | 10 |
| 13. | शर्मिली | उचाना खुर्द | 10 |
| 14. | संजय कुमार | भांगरा | 10 |
| 15. | सतीश | काकड़ोद | 10 |
| 16. | कर्ण सिंह | शामदों | 11 |
| 17. | नीलम देवी | खाण्डा | 12 |
| 18. | मुकेश देवी | अलेवा | 12 |
| 19. | रजनीश कुमारी | अलेवा | 12 |
| 20. | रीना | नगूरा | 12 |
| 21. | संतोष | नगूरा | 12 |
| 22. | सविता | अलेवा | 12 |

Therefore, it can be concluded that the above mentioned twenty two candidates have nothing to say in the matter. Hence, they deserved to be disqualified. I, Dr. Dalip Singh, State Election Commissioner, Haryana, in exercise of powers vested under Article 243 K of the Constitution of India and Section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling in this behalf hereby order that the twenty two candidates mentioned in para 7 be disqualified for being chosen as, and for being a member of Panchayats *i.e.* Gram Panchayat, Panchayat Samiti and Zila Parishad **for a period of three years** from the date of this order.

8. I further direct that a copy of this order be sent to all the candidates mentioned in para 6 and 7 above through Deputy Commissioner-cum-District Election Officer, Jind.

9. I further direct that a copy of this order be hosted on website of the Commission www.secharyana.gov.in.

Panchkula:
The 9th August, 2017.

DR. DALIP SINGH,
State Election Commissioner, Haryana.